

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being filed via EFS Web with the US Patent and Trademark Office on .

May 21, 2008
Date

By:

Misty Mendiola
Misty Mendiola

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent and Trademark Office
Mail Stop 16
Director of the USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Deposit Account No 50-0812

In the name of ROCHE MOLECULAR SYSTEMS, INC.

REQUEST FOR REFUND
(Improper Charge of Deposit Account)

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 50-0812 shown in the statement dated February 29, 2008.

- ☐ Application
☐ Patent
☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

- ☒ Other:
Fee Code 1253 in the amount of \$1050.00

Total Refund Requested \$1050.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The owner of the deposit account filed a Response to the Notice of Non-Compliant Amendment for USSN 10/549,648 on February 4, 2008. Extension of time fees in the amount of \$1050.00 were submitted (copies of the Electronic Receipt and Fee Worksheet are attached). The Extension of time fees had already been deducted from the deposit account in the amount of \$1050.00 on when the original reply to the Office Action was submitted on December 14, 2007. (copies of the Electronic Receipt and Fee

Worksheet are attached). Thus, the Extension of times fees were erroneously paid twice for responding to the same Office Action.

IV. MANNER OF REFUND


Please make refund by

X Crediting Account No. 50-0512
— Refunding payment

Respectfully submitted,

Dated: May 21, 2008

By



Olga Kay
Reg. No. 57,459

Roche Molecular Systems
Patent Law Department
4300 Hacienda Drive
Pleasanton, CA 94588
Phone: 925 – 730-8567
Fax: 925-225-1118



UNITED STATES PATENT AND TRADEMARK OFFICE

ENTERED
3/24/08United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion
with your check. Make checks payable to "Director of the USPTO."ROCHE MOLECULAR SYSTEM
PATENT LAW DEPARTMENT
1145 ATLANTIC AVENUE
ALAMEDA CA 94501

FINA

Account No.	500812
Date	2-29-08
Page	1

PLEASE SEND REMITTANCES TO:
U.S. Patent and Trademark Office
P.O. Box 979065
St. Louis, MO 63197-9000

Call the Deposit Account Branch at 571-272-6500 for assistance.

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
2	5	08	17984	10562441	24175-US	1251	RMS 120.00	57249.00
2	5	08	17985	10562441	24175-US	1801	930 00 810.00	56439.00
2	5	08	19517	10549648	21810-US	1253	RAS 1050.00	55389.00
2	5	08	25893	11959443	23311-US1	8021	RMS 40.00	55349.00
2	6	08	5843	60954721	24201-US1	8007	RMS 60.00	55289.00
2	11	08	5028	11078692	022101-003800US	1251	RMS 120.00	55169.00
2	11	08	6155	11078692	022101-003800US	1251	240 00 120.00	55049.00
2	19	08	6614	11203040	18842-US8	1253	RMS 1050.00	53999.00
2	19	08	6617	11203040	18842-US8	1801	1860 00 810.00	53189.00
2	19	08	18334	11120544	022101-000110US	1806	RMS 180.00	53009.00
2	20	08	6415	12033711	24148-US	1011	RMS 310.00	52699.00
2	27	08	12206	12064992	23306-US	1631	RMS 310.00	52389.00
2	27	08	12207	12064992	23306-US	1642	RMS 410.00	51979.00
2	27	08	12208	12064992	23306-US	1633	1730 00 210.00	51769.00
2	27	08	12209	12064992	23306-US	1615	400.00	51369.00

12345678910111213141516171819202122232425262728293031--12345678910111213141516171819202122232425262728293031

MAR 2008
Received
Roche Molecular Systems
Intellectual Property

WHL

AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					57369.00	6000.00	0.00	51369.00

Electronic Patent Application Fee Transmittal

Application Number:	10549648			
Filing Date:	15-Sep-2005			
Title of Invention:	System for multi color real time pcr			
First Named Inventor/Applicant Name:	Gregor Sagner			
Filer:	Olga Kay/Misty Mendiola			
Attorney Docket Number:	21810-US			
Filed as Large Entity				
U.S. National Stage under 35 USC 371 Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1050	1050

Electronic Acknowledgement Receipt

EFS ID:	2812577
Application Number:	10549648
International Application Number:	
Confirmation Number:	2235
Title of Invention:	System for multi color real time pcr
First Named Inventor/Applicant Name:	Gregor Sagner
Customer Number:	22829
Filer:	Olga Kay/Misty Mendiola
Filer Authorized By:	Olga Kay
Attorney Docket Number:	21810-US
Receipt Date:	04-FEB-2008
Filing Date:	15-SEP-2005
Time Stamp:	19:19:19
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 1050
RAM confirmation Number	11856
Deposit Account	500812
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (If appl.)
-----------------	----------------------	-----------	----------------------------------	------------------	------------------

1	Amendment - After Non-Final Rejection	21810_US_Response_to_NonCompliant_Amendment_020408pdf.pdf	411757 3657bf47424238bba1d76fe364f8e25b5520144	no	7
Warnings:					
Information:					
2	NPL Documents	21810_US_Exhibit1_020408.pdf	579074 a60e06654a65anc3163c611bba2ba2b07e27bc59	no	4
Warnings:					
Information:					
3	NPL Documents	21810_US_Exhibit2_020408.pdf	100974 4cc2ee473fccc38c5c82ce940eb8dfc5f4407815	no	1
Warnings:					
Information:					
4	NPL Documents	21810_US_Exhibit3_020408.pdf	375157 a38a081502445cf3f9ab0b9112fa0514044b0f00	no	3
Warnings:					
Information:					
5	NPL Documents	21810_US_Exhibit4_020408.pdf	133438 990b84154c7e144b2aabcf8f451c391d7893254	no	1
Warnings:					
Information:					
6	NPL Documents	21810_US_Exhibit5_020408.pdf	361447 dbe7e9fe00fcbeca3e244df051ce92058bacc5	no	2
Warnings:					
Information:					
7	Fee Worksheet (PTO-06)	fee-info.pdf	8151 17c808b7268aa2c48dd15cf7fbMa4ad1b0ab9cb	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1969998		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion
with your check. Make checks payable to "Director of the USPTO."

ROCHE MOLECULAR SYSTEM
PATENT LAW DEPARTMENT
1145 ATLANTIC AVENUE
ALAMEDA CA 94501



Account No.	500812
Date	12-31-07
Page	1

PLEASE SEND REMITTANCES TO:
U.S. Patent and Trademark Office
P.O. Box 979065
St. Louis, MO 63197-9000

Call the Deposit Account Branch at 571-272-6500 for assistance.

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
12	4	07	1	10575704	22337-US	1633	-200.00	22059.00
12	4	07	2	10575704	22337-US	1642	-400.00	22459.00
12	4	07	3	10575704	22337-US	1642	400.00	22059.00
12	4	07	4	10575704	22337-US	1633	200.00	21859.00
12	5	07	72	PAYMENT		9203	-50000.00	71859.00
12	14	07	112	12001670	23996-US	1011	310.00	71549.00
12	14	07	113	12001670	23996-US	1111	510.00	71039.00
12	14	07	114	12001670	23996-US	1311	210.00	70829.00
12	14	07	115	12001670	23996-US	1202	150.00	70679.00
12	17	07	535	10549648	21810-US	1253	1050.00	69629.00
12	17	07	2	11205880	22697-US	1251	120.00	69509.00
12	17	07	6	10487967	20974-US	1251	120.00	69389.00
12	17	07	7	10487967	20974-US	1252	340.00	69049.00
12	17	07	10338	60871733	23311-US	8007	40.00	69009.00
12	17	07	10455	60949732	60/949732	8007	40.00	68969.00
12	18	07	3875	10573215	22307-US	1251	120.00	68849.00
12	19	07	3476	10552641	21634-US2	1254	1640.00	67209.00
12	19	07	15785	10575805	22329-US	1251	120.00	67089.00
12	21	07	1	11203622	18842-0660349-5001-US02	1253	1020.00	66069.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					21859.00	6390.00	50600.00	66069.00

Electronic Patent Application Fee Transmittal

Application Number:	10549648			
Filing Date:	15-Sep-2005			
Title of Invention:	System for multi color real time pcr			
First Named Inventor/Applicant Name:	Gregor Sagner			
Filer:	Charles M. Doyle/Winsome St Rose			
Attorney Docket Number:	21810-US			
Filed as Large Entity				
U.S. National Stage under 35 USC 371 Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1050	1050

Electronic Acknowledgement Receipt

EFS ID:	2593209
Application Number:	10549648
International Application Number:	
Confirmation Number:	2235
Title of Invention:	System for multi color real time pcr
First Named Inventor/Applicant Name:	Gregor Sagner
Customer Number:	22829
Filer:	Charles M. Doyle/Winsome St Rose
Filer Authorized By:	Charles M. Doyle
Attorney Docket Number:	21810-US
Receipt Date:	14-DEC-2007
Filing Date:	15-SEP-2005
Time Stamp:	15:08:22
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 1050
RAM confirmation Number	311
Deposit Account	500812
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
-----------------	----------------------	-----------	----------------------------------	------------------	------------------

1	Amendment - After Non-Final Rejection	21810_US_Response_filed_121407.pdf	398786	no	7
			de32235237147e935a22493a17c2f9b387f670b4		
Warnings:					
Information:					
2	NPL Documents	21810_US_Exhibit1_121407.pdf	579074	no	4
			a50e08654a553ac3163a611bba2ba2b07e27bc59		
Warnings:					
Information:					
3	NPL Documents	21810_US_Exhibit3_121407.pdf	375157	no	3
			ad8a06b562449c03f5eb3b9112fa9514044b0f00		
Warnings:					
Information:					
4	NPL Documents	21810_US_Exhibit4_121407.pdf	133438	no	1
			990b84154c7a144b2aabc8f8f51c301d7f993254		
Warnings:					
Information:					
5	NPL Documents	21810_US_Exhibit5_121407.pdf	361447	no	2
			dbe7e9fe00fcbce3a244d051ce92058bfacc5		
Warnings:					
Information:					
6	NPL Documents	21810_US_Exhibit2_121407.pdf	100974	no	1
			4cc2ae473fcc38c5b52de840eb8dfc5f44076f5		
Warnings:					
Information:					
7	Fee Worksheet (PTO-06)	fee-info.pdf	8157	no	2
			cb93f0e7492b704ba9c21c99059c747a37ba0820		
Warnings:					
Information:					
Total Files Size (in bytes):			1957033		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.